

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DALTON LOREN SMITH,

Plaintiff,

v.

PIERCE COUNTY, NICK AINSLIE,
Department of Assigned Counsel, and SEAN
PLUNKET, Prosecuting Attorney,

Defendants.

No. 3:23-CV-5061

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) This case is dismissed without prejudice for failure to follow a Court order and failure to state a claim upon which relief can be granted. As Plaintiff failed to state a claim upon which relief could be granted in the complaint, this case is a “strike” under 28 U.S.C. § 1915(g).
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

DATED this 10th day of August 2023.



Jamal N. Whitehead
United States District Judge